

# DOMESTIC VIOLENCE



**Office of the Staff Judge  
Advocate  
Eielson AFB, Alaska**

**354 FW/JA**  
**Legal Assistance & Preventive  
Law  
Pamphlet Series**

As of April 2011

## **THE PROBLEM OF DOMESTIC ABUSE**

Domestic abuse occurs throughout society, regardless of social status, race, or religious preference. Abuse may be physical, emotional, or mental. Spouses, significant others, and children are victims. Military members are subject to many of the stresses that may trigger abusive episodes. But help is available – don't let the pressure build into an explosive situation.

*You are not alone.* Crimes of domestic violence are, unfortunately, widespread in our society and have many innocent victims. Domestic violence is the single major precursor to child abuse and neglect fatalities in the United States according to the U.S. Advisory Board on Child Abuse and Neglect.

## **THE LAW FOR ABUSE/NEGLECT**

Abuse or criminal neglect of a child is a felony under Alaska law. Every person who has reasonable cause to believe or suspect that a child has been abused or neglected should report the suspected abuse immediately to a child protective agency or local law enforcement agency. Certain professionals dealing with children are required to report such abuse. The Office of Children's Services (OCS), a state agency, investigates these reports. Generally, OCS will send a social worker to inquire into the situation and ensure the

children are safe. It's better to be safe than sorry!

## **THE LAW FOR ASSAULT/BATTERY**

Domestic assault and battery are unlawful under both Alaska law and the Uniform Code of Military Justice. In other words, such abuse is against the law and the abuser may be criminally prosecuted under both jurisdictions. Victims may seek immediate relief and obtain an order of protection in accordance with Alaska law. A protective order may include persons who are married to each other; living together as if married; formerly married to each other; formerly living together as if married; parents and their adult children; other adults sharing common living quarters; and parents of a child who are not living together.

Protective orders are court orders that may require the abuser not to contact the victim for a specified period of time. The protection order also may grant sole possession of the residence to the victim, award temporary child custody, award temporary support, require payment of the victim's medical costs that resulted from the abuse, and protect joint property. These orders can be given on a short-term basis without the presence of the abuser. Long-term orders are available after a hearing and can even order the offender to receive treatment. A victim of domestic abuse should seek assistance immediately and not be reluctant to seek aid.

## HOW TO FIND HELP

The Family Advocacy Office, 377-4041, provides many services to assist victims of domestic violence and abuse. Family Advocacy will assess the situation and assist victims regarding necessary medical and psychological treatment. If a threat of future abuse exists, every effort will be made to protect the victim(s) from the abuser. Counseling and other treatment programs are available to assist victims and families in resolving issues of domestic abuse.

The Legal Office, through the Victim / Witness Assistance Program (VWAP), can assist victims of domestic abuse to understand their rights under the legal system. Financial assistance may be available to victims of domestic abuse.

## REPORTING ABUSE

Victims and their children may wish to contact:

- **IN AN EMERGENCY, DIAL 911**
- **Child Abuse Hotline, 1-800-4-A-CHILD**
- **Family Advocacy, 377-4041**
- **Interior Alaska Center for Nonviolent Living, 452-2293**

**This pamphlet is for basic information on domestic violence as it relates to military personnel stationed in Alaska. It is not intended to take the place of legal advice from a Judge Advocate. There may be important exceptions in some states to the information presented here. Please contact the 354th Fighter Wing Legal Office for questions and further information.**



354 FW/JA  
Tel: (907) 377-4114 / DSN 377-4114